

Fair Tonight and
Saturday.

The Washington Times

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WASHINGTON, FRIDAY EVENING, AUGUST 20, 1909.

PRICE ONE CENT.

DAVIS CRITICISES COURT'S FINDING IN SUTTON TRIAL

Attorney Brands Judge Advocate's Language As Unnecessarily Harsh.

SAYS THE EVIDENCE IS CONTRADICTORY

Attempts to Show How the Fatal Shot Was Really Fired.

In a statement issued today, Henry E. Davis, attorney for Mrs. Sutton in the inquiry as to the death of her son at Annapolis, pays his compliments to Judge Advocate Leonard and the members of the court in emphatic language, leaving it to be understood that he thinks the court knew too little about weighing evidence to be permitted to handle such an important matter.

He accuses Major Leonard of failing to live up to an agreement and thereby bringing about the peculiar tangle which threw Mrs. Sutton into the attitude of prosecuting Adams, Utley, Willing, Osterman, and Bevan for the murder of her son.

"Unjudicial and unnecessarily harsh language" was used by the court in its conclusions says Mr. Davis.

He declares he has given out the statement today "in view of the findings and opinions of the Sutton court of inquiry, especially the fifth opinion that the charges of Mrs. Sutton are unsupported by even a shadow of reason."

Mr. Davis took up the evidence of the principal witnesses, Adams in particular, and shows how wild, in his opinion, was the decision of the court which exonerated Adams from blame in the tragedy.

Referring to the sixth finding, in which the court declares that Sutton was "killed by a revolver shot from a service Colt revolver, held in his own right hand and fired by himself, without the intervention of any other hand," Mr. Davis says:

"After Sutton's death, this Colt revolver, which has six chambers, was found to contain three discharged cartridges, and the shells of three which had been discharged. In his testimony before the board of inquiry, Lieutenant Adams testified that when he encountered Sutton, just before the latter was thrown to the ground and the fatal shot fired, Sutton fired one shot and then another, when he, Adams, grabbed the Colt revolver, and just as he grabbed it, Sutton pulled the trigger the third time, and there was also another shot fired during the struggle."

Adams saying to him, 'I could not tell which revolver, but the two or three shots were fired from the Colt.' Speaking of the revolver from which the fatal shot was fired, Adams stated: 'I could not say which revolver it was; it looked to me like the small revolver.'

Claims Faulty Testimony.

"In his testimony before the court of inquiry, he said, speaking of Sutton: 'Immediately after his shooting the first time I rushed at him. He shot again, and just as I got to him he shot a third time, which struck me in the finger. I had just about touched the muzzle of the revolver, which I am quite positive was a Colt pistol.'

"If this statement of Adams be true, obviously the fatal shot was not fired from the Colt revolver."

"It was agreed to all that immediately prior to the fatal encounter, Sutton had two revolvers, one a Colt and the other a Smith & Wesson, and that before the fatal shot was fired, somebody had taken one away from him, and an attempt was being made to get the other at or immediately before the fatal shot, and also that the revolver in Sutton's right hand was the Colt."

Mr. Davis proceeds to show that by Adams' continued evidence, the fatal shot was fired from the Smith & Wesson.

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WEATHER REPORT.

The disturbance in the West Indies is apparently central over Santo Domingo. Local showers occurred within the last twenty-four hours in the Lake region, northern New England, the upper Ohio valley, on the south Atlantic and east Gulf coasts, and at scattered points in the Rocky mountain region and the plains States.

The temperature is somewhat higher in the Atlantic States, and it has fallen in the upper Lake region and the middle Gulf States. The changes elsewhere were slight.

FORECAST FOR DISTRICT.
Fair tonight and Saturday; slightly cooler Saturday; light to moderate northwest breeze north winds.

TEMPERATURES.
8 a. m. 77
9 a. m. 78
10 a. m. 80
11 a. m. 82
Noon 85
2 p. m. 85
5 p. m. 85

SUN TABLE.
Sun rises 5:35
Sun sets 6:51

TIDE TABLE.
Today—High tide, 10:38 a. m. and 11:37 p. m.; low tide, 5:12 a. m. and 5:23 p. m.
Tomorrow—High tide, 11:37 a. m. and 11:36 p. m.; low tide, 5:51 a. m. and 5:57 p. m.

CONDITION OF THE WATER.
HARPER'S FERRY, W. Va., Aug. 20.—Both rivers cloudy.

A Good Door, \$1.50 apiece.
Frank Libbey & Co., 11 and N. Y. Ave.
—Adv.

"SIDESWIPE" TRAIN CREW BADLY HURT

Misunderstanding of Lantern Signal Causes Bad Wreck On the Erie.

BATH, N. Y., Aug. 20.—The tracks of the Erie at Savona, N. Y., blocked by the collision between two Erie trains there at 11:20 o'clock last night, have been cleared today and traffic resumed.

Misunderstanding of a lantern signal, Train 148 "side-swiped" Train 189. The engine, baggage car and two passenger cars were turned over and the track badly torn up. Engineer Lawrence was the most seriously hurt, while Fireman Lintins and Express Messenger Ryan were badly injured.

Six passengers were hurt, but none seriously.

HOTEL RUNNER GETS A 15-DAY SENTENCE

Man Who Advised Newcomers to Go to His Hostelry Is Punished.

"This business of annoying strangers as they arrive in this city has got to be stopped," said Judge Kimball, in the Police Court this morning, to Edward Beckner, who had been haled before him for accusing strangers as they come from Union Station and advising them to register at a certain hotel of which he was an agent.

"It gives them a false impression of the Capital of the Nation," continued the judge, "and I will give you fifteen days to impress this upon your memory."

It was explained to the judge that when the travelers refused to accept the advice of Beckner that he was so fearful that they would regret it that he often followed them for squares importuning them.

CUBA CELEBRATING U. S. INTERVENTION

Government Denies There Is Any Possible Friction With America.

HAVANA, Aug. 20.—Cuba today is celebrating the third anniversary of the outbreaking of the provincial revolution, which led to intervention by the United States. Both factions of the Liberal party, the Zaldemists and Miguelists, joined in the celebration, and adopted resolutions endorsing the administration of President Gomez and the conduct of Garcia Velez as secretary of state.

The stories in certain Havana papers regarding alleged friction between Cuba and the United States are declared by government officials to be absolutely without foundation.

MARVELL TAKES JOB AS NAVIGATION CHIEF

Annapolis Changes Include Relieving of Discipline Officer's Assistant.

ANNAPOLIS, Md., Aug. 20.—Commander George R. Marvell has reported for duty at the Naval Academy, relieving Commander W. C. P. Muir as head of the department of navigation.

This is the most important change in the officers attached to the Academy since the close of the last academic year. There are a number of other changes, including the relieving of Commander G. D. Dreyer, senior assistant in the department of discipline, by Lieut. Commander W. H. Faust.

POPE TO GIVE LIONS TO PRESIDENT TAFT

Pontiff Plans to Present Cubs to Rulers of Three Nations.

ROME, Aug. 20.—President Taft, Emperor William, and Emperor Franz Josef are each to receive two lion cubs from Pope Pius X.

In the Vatican gardens there is a new litter of six lion cubs, mothered by the lioness that King Menelik, of Abyssinia, recently presented to the pope. Requests for the cubs poured in from all sides, but it was decided today to give them away in pairs to the three heads of nations mentioned.

The shipment to America will be made at an early date.

GERRY SOCIETY HOLDS RICH BROKER'S BABIES

New York Organization Refuses to Let Parents See Children Whose Nurse Was Arrested for Intoxication While on Duty—Court Impotent.

NEW YORK, Aug. 20.—New York has been stirred today by the report of a mother's fight for her children, who have been held from her by the Gerry Society because the nurse into whose care they were entrusted was arrested.

The children were Wilhelmina and David Murray, a girl of eight months and a boy of three years, children of Mr. and Mrs. David Murray. Murray is a wealthy real estate broker.

TAFT TO DISCUSS MEETING WITH DIAZ WITH DE LA BARRA

Mexican Ambassador Goes To Beverly to Talk Over President's Trip.

LITTLE REPUBLICS FEAR PROTECTORATE

See Coalition in Proposed Conference Between Two Nations' Executives.

By JAMES HAY, Jr.

BEVERLY, Mass., Aug. 20.—William Howard Taft has concluded that when a President goes forth with the high ambition of doing nothing but play for a few weeks, he is up against a losing game.

He can get close to nature, but he can't stay there, for every day or so he is yanked back to the smooth realities and engaging urbanities of civilization.

This afternoon at 2:30 o'clock, he will have a conference with Senor De La Barra, the Mexican Ambassador, who comes to Beverly from Washington for that purpose.

At 3:30 o'clock, the President will have a long consultation with Attorney General Wickersham, who is on his way here from New York to discuss with Mr. Taft some of the phases of the problem, "How shall we make the trusts behave?"

Senor De La Barra's visit, it is given out at the executive offices, is for the purpose of talking over with the President the details of his meeting President Diaz of Mexico at El Paso in October. But there are other reasons given in current gossip as to why the ambassador breaks thus rudely into the summer vacation of the President. It is said that there is trouble brewing among the republics of Central America because they fear that Mexico and this country are preparing to extend their "moral protectorate" over Central America, thus breaking off all chances for revolutions, uprisings, and carnage in the garden spot of intercontinental strife.

John Barrett's Job.

Up here on the North Shore, where it is everybody's business to know all about one's neighbors, it is said that the meeting of Diaz and Taft is regarded by the brainy men of Central America as another step toward that perfect harmony between Mexico and the United States which will result in so subjugating the bloodthirsty tendencies of Central America, that all the warlike predators down there will have to eat out of John Barrett's hand.

It is further suggested that Senor De La Barra, being the flower of diplomacy, will ask the President not to believe that trouble is brewing, to brush aside such rumors, and to proceed with the business of becoming more friendly with Senor Diaz, the champion long-term President of modern times.

At any rate, the ambassador comes to here on a sort of hurry-up visit, and it may well be that his real errand is to say that there is no reason for this country or Mexico to be really alarmed, as the countries of Central America can not put up a real fight, and would not want to if they could.

Wickersham's Mission.

Mr. Wickersham's mission is more serious. It will involve the ways and means of preventing the overcapitalization of railroads, the methods best suited to strike at the "holding company" nuisance, how to reorganize the Interstate Commerce Commission, and how to increase the powers of the Bureau of Corporations in the Department of Commerce and Labor. It will touch upon, in deep and involved phrases, the most beautiful way to monkey with the Sherman anti-trust act, and it will treat of how, in brief, the Interstate corporations must be supervised and controlled in a thoroughly effective manner.

Another thing which the Attorney General will take up with the President is a list of patron cases. If the facts warrant such action, Mr. Taft may sign these pardons within the next day or two.

This morning Mr. Taft played golf on the M. B. S. Links with Mr. and Mrs. Van Lengerke Meyer, who has just returned from his fishing trip in the Canadian woods. It is not probable that he will play again today.

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AMBASSADOR REID UNCERTAIN OF TERM

Diplomat Says "Ask Taft" When Asked As to His Place.

NEW YORK, Aug. 20.—Whitely Reid, ambassador to England, was one of the passengers on board the Mauretania, which docked today.

Mr. Reid did not come over when his family did, some weeks ago, having been detained on important business in England. He declared he would return about October 1.

"How long do you expect to remain in England?" he was asked.

"Or that I do not know; you will have to ask Mr. Taft," he declared.

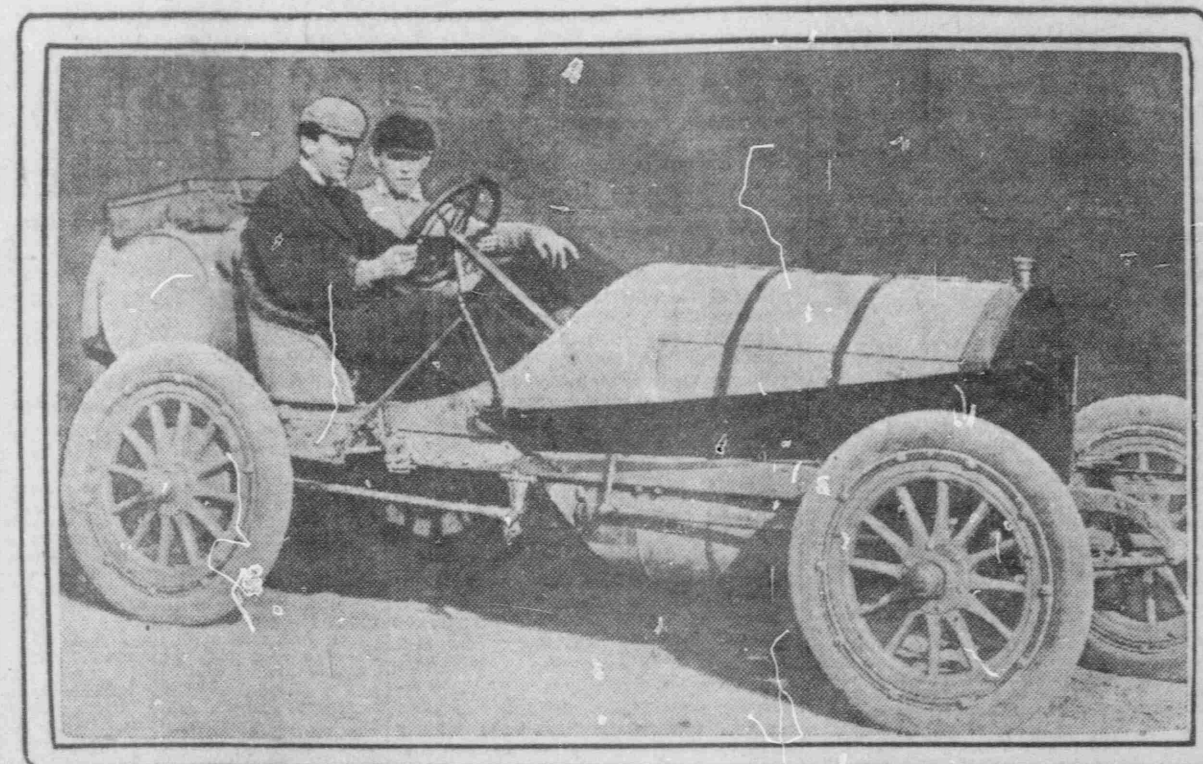
Reid will join his family in camp in the Adirondacks and later will visit Mr. Taft at Beverly.

ATLANTIC CITY LID HAS BEEN LOCATED

New Jersey Attorney General Promises Preachers It Must Be Kept Down.

TRENTON, Aug. 20.—At a conference held at the State house this morning the Attorney General promised a delegation of preachers from Atlantic City that the lid must drop and stay down.

Victims of 80-Mile-an-Hour Auto Crash



DRIVER WILLIAM A. BOURQUE AND HARRY HOLCOMB, MECHANIC, IN KNOX CAR WHICH OVERTURNED AND KILLED THEM.

DAYLIGHT ROBBER SURPRISED IN ACT

Calmly Yells "G'wan, You," When Policeman Catches Him in House.

In broad daylight, during the business hours of the morning, with hundreds of people passing along the street, Richard Hall broke into the vacant house at 318 Thirteenth and a-half street, opposite the Municipal building today, and stripped the place of lead pipe, gas fixtures, stove lids, etc., and was calmly-breaking them up so he could more conveniently carry his booty away when interrupted by Policeman Mulhall.

The houses at 320 and 322, which are also untenanted, had likewise been stripped of their metal work and the scars left showed the stripping to have been recently done.

Just when Hall commenced his self-appointed task no one knows. But the fact that he did not come prepared to carry away all the booty he thought to obtain is proven by his having stopped his work long enough to walk across the street to the stables of an express company and borrow an empty feed sack.

Hall was seen in the backyard of number 318 by a colored woman employed in an adjoining house who notified Policeman Mulhall. Mulhall was on duty just across the street, and had probably marched up and down in front of the vacant houses a dozen times, while Hall was at work on them. The latter had no idea the police were on his trail, and was calmly hammering a big stove lid to pieces so he could get it in his sack, when Mulhall's helmet and face peeped over the fence between 318 and 320. Hall may have been surprised, but he did not show it. He simply picked up another stove lid, and drew back his arm as though to throw it.

"G'wan you," he called to the policeman.

Mulhall declined to "g'wan," however, and climbed over the fence, making his man a prisoner. Loaded with loot, the horse-drawn a five-ton fire engine became unmanageable and plunged into the crowd of 3,000 people. The driver, Frank H. Harvey, was hurled twelve feet over the heads of the crowd and badly hurt.

SEVERAL HUNDRED ARE REPORTED KILLED IN THE LATEST CAMPAIGN.

HORSES RUN INTO CROWD.

MANCHESTER, N. H., Aug. 20.—While making an exhibition hitch today before delegates of the Scottish Clans, the three horses drawing a five-ton fire engine became unmanageable and plunged into the crowd of 3,000 people. The driver, Frank H. Harvey, was hurled twelve feet over the heads of the crowd and badly hurt.

DETROIT MINISTER GONE.

DETROIT, Mich., Aug. 20.—The Rev. Carl S. Jones has disappeared, leaving nothing to explain the mysterious fashion in which he dropped out of sight after preaching a sermon at his church on August 1. His relatives think hard work may have unsettled his mind.

HOME LOOMS LARGE IN GUARDSMEN'S EYES

Brigade Breaks Camp and For Two Days Will Be Quartered on Transports—Two Days Allowed For Sightseeing and Rest.

BOSTON, Mass., Aug. 20.—Home now looms largest in the vision of the District Guardsmen.

Ever the prospect of treading the sacred precincts of Beacon Hill, of tasting the inevitable baked bean and hobnobbing with the Ancient and Honorable Artillery Company, of Boston, dims before the dream of slipping back into the quiet way of home, sweet home, with its clear faces and hands, laundried shirts and collars, and three square meals a day after this strenuous soldier life.

The District Brigade broke camp on the lines above Haverhill this morning at 9 o'clock and by noon the baggage and men were loaded on a special train and started for Boston, where the guardsmen will be given two days to complete relaxation from military duty and an opportunity to see the sights of the Hub.

According to the present understanding the brigade will leave Boston on the transports Summer and McClellan Sunday evening for Washington. While the men are in Boston they will be quartered on the transports. The guns and equipment of the First Field Battery will be loaded on the McClellan while the men and horses will return by way of the Fall River line to New York and thence by rail to Washington. The plan of giving the men a

(Continued on Second Page.)

THAW WANTS MAIL SENT TO ATTORNEY

Slayer of White May Compel Authorities to Make This Change.

POUGHKEEPSIE, N. Y., Aug. 20.—The report that Harry Thaw has changed attorneys again is not borne out by a statement made here today.

Attorney Charles Morschauer, who represented Thaw at the White Plains trial, was said to have been dismissed by the slayer of Stanford White. This statement was caused by the fact that Attorney James G. Meyers called on Thaw yesterday at the prisoner's request.

It develops that Thaw is trying to compel the Matinean postoffice officials to deliver his mail to his outside representatives instead of placing it in the hospital mail, where it must undergo the scrutiny of the hospital authorities.

Meyers is acting in this case for Morschauer, who is in the mountains on vacation.

SPANISH SOLDIERS IN A BOLD MUTINY

Report Says Several Battalions Have Either Joined Moors or Fled.

LISEON, Aug. 20.—Several battalions of General Marina's army at Melilla have mutinied, according to an unconfirmed message from Melilla today, and have either joined the Moors or fled toward the French possessions in Morocco.

The message adds that the Spanish forces met with heavy losses in the aggressive campaign that Marina began on Wednesday and have been forced to retire within the city and wait for further reinforcements.

Six hundred are reported killed in the latest campaign.

CASTRO TO TAKE CURE.

SANTANDER, Aug. 20.—Gan. Cipriano Castro, formerly President of Venezuela, has left here for Solares, a resort seven miles from Santander, to take the cure.

EXCHANGE BREAKS RECORDS TODAY

NEW YORK, Aug. 20.—Wall Street set a fierce pace with the opening of the stock exchange, wiping out millions and millions of value and recording transactions of 500,000 shares of stock in the first hour.

Of late it has been the habit of the Street to defer the exhibition of zero-nautics until the last hour of the day, but at the tap of the opening bell the balloons were cut loose, soared for a few minutes, then blew up.

Stop order after stop order was caught right and left and declines averaging \$2 a share in the last hour of Thursday's session, and both on top of equally severe declines in the earlier days of the week.

Union Pacific was the subject of the most severe raids by the bears and sold-out bulls who have joined the bears. Union Pacific is rattling its pet stock, and it has been the booster of the whole list for months, almost years. It is 14 1/2 cents lower than at the close last Saturday.

Is Heading Company.

It is the holding company of all Harriman's investments in Southern Pacific, New York Central, Illinois Central, and many other less important lines in his wonderful system.

Of course there is but one cause for the break. If Harriman walks down the gangplank of the Kaiser Wilhelm II with the appearance of a healthy man, stocks will probably soar. If he is carried down by a panic-stricken performer the slump burns itself out before the arrival of the steamer on which the magnate has taken passage.

Wall Street nags assert that the actual condition of the greatest of railway magnates has been grossly misrepresented, and that he is not seriously ill. But the old-timers in the market recall with fear the awful slump that attended

HARRIMAN MUST CEASE REAL WORK, EXPERT'S DICTUM

Viennese Specialist Who Treated Magnate Declares Patient Is Starving.

CHAMPAGNE BATHS PART OF TREATMENT

New Yorker Must Eat Plenty, Sleep Much, Take Sun Baths, and Avoid Strenuousness.

(Copyright, 1909, by United Press.)

VIENNA, Aug. 20.—Edward H. Harriman, the master mind in the railway world, either must cease his active participation in business affairs or suffer a complete physical collapse.

This is the opinion of Professor Struempel, the famous Viennese specialist, who diagnosed Mr. Harriman's ailments and for whose advice the railway magnate made a special trip to Vienna.

MUST BE QUIET.

Prof. Struempel says Mr. Harriman has been restored to "comparative health," which should remain satisfactory "if he lives the most moderate life henceforth. A resumption of his strenuous activity of the past will surely bring a relapse."

Prof. Struempel spent hours with Mr. Harriman and studied his case as thoroughly as though he had been a member of the royal household, whose physician Prof. Struempel is.

Poorly Nourished.

He says that Mr. Harriman is suffering, first, from a systematic lack of proper nourishment, causing general physical weakness; in the second place, from general nervous debility and exhaustion due to overwork and underfeeding.

Three courses of treatment were outlined by Professor Struempel, which Mr. Harriman was cautioned to follow closely.

First, Mr. Harriman must take the "rest cure." He has been told to lie in bed many hours a day. In the next place care should be exercised in seeing that he gets only the most nourishing food and this in sufficient quantity. He should partake of food every two hours to counteract the effect of long under-feeding and improper feeding. Nothing else can build up his wasted tissues.

The third course is sun baths. Mr. Harriman was told to lie naked in the sunshine, by which means it is hoped to strengthen his nerves.

Needs Champagne Baths.

On days when there is no sunshine, the "champagne bath" is to be substituted. This is a bath in water charged with carbonic acid gas. It is considered strengthening to the nerves.

Professor Struempel says he found Mr. Harriman suffering from an organic trouble and predicted that if he watched himself carefully in the future and refrained from any unusual mental or physical effort, he would enjoy years of satisfactory health.

The thing that surprised Professor Struempel the most was the half-starved condition of Mr. Harriman. Better feeding was the most imperative need of the financier, he said.

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